

Attorney's Docket No. 007157/239838 (5543-17)

PATENT

**RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 1617**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Stein <i>et al.</i>	Confirmation No.: 5877
Appl. No.:	09/973,375	Group Art Unit: 1617
Filed:	October 9, 2001	Examiner: Shaojia A. Jiang
For:	METHODS FOR THE TREATMENT OF A TRAUMATIC CENTRAL NERVOUS SYSTEM INJURY	

May 15, 2003

BOX AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Sir:

Telephonic interviews in the above-referenced matter occurred on the following dates:
May 8, 2003 between Examiner Jiang and Examiner Padmanabhan and Applicants
representatives, Kelly Williamson and Leslie Henry; May 12, 2003 between Examiner Jiang and
Kelly Williamson; and, May 13, 2003 between Examiner Jiang and Kelly Williamson.
Applicants provide below a summary of each interview.

May 8, 2003

Claims 1-20 were discussed in view of the rejection under 35 U.S.C. § 103 that was
maintained in the Advisory Action mailed April 14, 2003. Specifically, the Advisory Action
maintains that claims 1-20 are obvious in view of view of Roof *et al.* (1994) *Experimental
Neurology* 129:64-69; Roof *et al.* (1992) *Restorative Neurology and Neuroscience* 4:425-427;
Roof *et al.* (1997) *Molecular and Chemical Neuropathology* 31:1-11; and, U.S. Patent No.
RE.35,517 (Gee *et al.*), in view of "Applicants admission".

Applicants maintained in the interview that page 2, lines 28-31 of the specification is not
an admission as asserted by the Examiner for the reasons previously made of record. No

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agreement was reached regarding this issue. Examiner Jiang and Examiner Padmanabhan indicated that this point would be reconsidered.

Applicants further maintained that claims 1-20 are not obvious in view of the cited references in combination with "Applicants admission" for the reasons previously made of record. No agreement was reached regarding this issue.

May 12, 2003

The discussion related only to the alleged "Applicants admission". Applicants continued to maintain that page 2, lines 28-31 of the specification is not an admission for the reasons previously made of record. No agreement was reached regarding this issue. Examiner Jiang indicated she and Examiner Padmanabhan would again reconsider this issue and contact us with their decision.

May 13, 2003

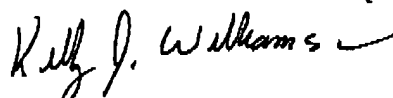
The discussion related only to the alleged "Applicants admission". Examiner Jiang indicated that the ground of rejection appearing in the Final Office Action (mailed November 20, 2002) that stated page 2, lines 28-31 of the specification constituted an "admission" on the part of Applicant would be withdrawn. No resolution was reached regarding how prosecution would proceed.

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The Examiner is respectfully requested to enter this Interview Summary into the above-referenced application.

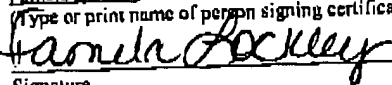
It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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FROM: Kelly J. Williamson
Patent Agent

In re: Stein *et al.*

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Attachments:

Interview Summary(3 pages)

NO. OF PAGES: 4
(Including cover page)

OPERATOR: 67 / #3 / 99017

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REQUESTED BY: Pam Lockley

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